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PTO/SB/21 (6/98)

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TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing)

Application No. 09/938,224

Filing Date August 23, 2001

First Named Inventor Luke Paul Nosek

Group Art Unit 2161

Examiner Name

Total Number of Pages in this Submission: 4

Attorney Docket No. PAY00-007

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee attached☐ Amendment/Response☐ After Final☐ Affidavit/Declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement,  
with form PTO/SB/08a☐ Certified Copy of Priority  
Document(s)☐ Response to Missing Parts Notice/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers for an application☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney by Assignee, with  
Revocation of Former Powers☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After-Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Additional Enclosure(s):☐ Return Receipt Postcard☐ Check for \$ \_\_\_\_\_☐ \_\_\_\_\_

Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Name	Daniel E. Vaughan (Registration No. 42,199)	Date	December 17, 2005
Signature	<i>Daniel E. Vaughan</i>	Telephone	510-790-9960
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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U. S. Postal Service via ☐ Express Mail (No. EL xxx yyy zzz US) or☒ Facsimile to 571-273-8300, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on: December 17, 2005

Type or Printed Name	Daniel E. Vaughan	Signature	<i>Daniel Vaughan</i>
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DEC 17 2005

Attorney Docket No.: PAY00-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Luke Paul Nosek  
Application No. : 09/938,224  
Filed : August 23, 2001  
Docket : PAY00-007  
Title : Instant Availability of Electronically Transferred Funds  
  
Group/Art Unit : 2161  
Examiner :

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

Listed below and/or on an attached form PTO/SB/08A is information known to applicant(s), which is hereby submitted pursuant to 37 C.F.R. § 1.56. The right is reserved to antedate any included publication or patent in accordance with standard procedure.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56.

X  (New Application) Copies of each listed reference, except for issued U.S. patents and pending or published U.S. applications, are submitted herewith, along with a concise explanation of information in a foreign language (if any).

(Continuation Application) The listed references were cited by the Applicant(s) or Examiner in the parent application, U.S. Serial No.  , filed on  . Pursuant to 37 C.F.R. § 1.98(d), copies of these items are not enclosed but may be found in the file history of the parent application.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the application identified above. If form PTO/SB/08A is attached, the Examiner is requested to initial and return it in accordance with MPEP § 609.

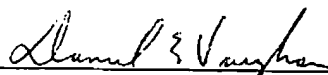
- ☒ 37 C.F.R. § 1.97(b). No fee is believed due, because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date; OR
  - ☐ (2) It is being filed within 3 months of entry of a national stage; OR
  - ☒ (3) It is being filed before the mailing date of the first Office Action on the merits.
- ☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first office action on the merits, but before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:
- ☐ a certification as specified in 37 C.F.R. § 1.97(e) is provided below; or
  - ☐ a fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- ☐ a certification as specified in § 1.97(e) is completed below; and
  - ☐ a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ *Statement under 37 C.F.R. § 1.97(e).* I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement:

Signature: \_\_\_\_\_  
Daniel E. Vaughan (Reg. No. 42,199)

Date: \_\_\_\_\_

Respectfully submitted,

Date: December 17, 2005

By:   
Daniel E. Vaughan (Reg. No. 42,199)

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Application Number	09/938,224
Filing Date	August 23, 2001
First Named Inventor	Luke Paul Nosek
Art Unit	2161
Examiner Name	
Attorney Docket Number	PAY00-007

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